HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.8020 of 1999

Dated 4th day of April, 2007

Between:

Sammangi Govindarao ..
Petitioner

And

The Mandal Revenue Officer,
Anakapalli, Visakhapatnam District.
and another ..
Respondents

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O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to convert "Kamanna Cheruvu" covered by an extent of Ac.13.75 cents in S.No.12 situated in Maruturu village, which is an ayacut to agricultural lands, into "Dhobi Khana", as arbitrary and illegal.

The brief facts of the case are that there is a tank called "Kamanna Cheruvu" which is covered by an extent of Ac.13.75 cents in S.No.12 situated in Maruturu village, with trees around it and is an ayacut to agricultural lands, and except this Cheruvu, which vests with Gram Panchayat, there is no other source of supply of water to agricultural lands. Now, the grievance of the petitioner is that the respondents are trying to convert this tank into a "Dhobi Khana". If really it is converted, water will get polluted with chemicals and cannot be used for agricultural purposes.

A detailed counter affidavit is filed wherein it is stated that it is only on mere apprehension that "Kamanna Cheruvu" may be converted into Dhobi Khana, the petitioner has filed this writ petition. In reality, proposals were sent from the Collector to the Government for alienation of small portion of the tank bund covering Ac.00.10 cents, which has been under utilization for Dhobis from time immemorial and they are using it without disturbing the tank or hampering any irrigation construction.

Heard the learned counsel for both the parties.

This Court, while ordering Rule Nisi, granted interim direction for a period of two months, thereafter, this direction was not continued. As it is only a mere apprehension and the proposals are meant for

construction of Dhobi Khana in an extent of Ac.00.10 cents only, this Court is of the view that the petitioner's apprehension that "Kamanna Cheruvu" may be converted into "Dhobi Khana" in an extent of Ac.13.75 cents of land is misconceived.

Hence, this writ petition is devoid of merits and the same is accordingly dismissed. No costs.

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04.04.2007

bcj